

TOWN OF TRURO
BOARD OF SELECTMEN
JOINT MEETING OF WEDNESDAY, JULY 26, 2006

The Truro Board of Selectmen met for a special joint session on Wednesday, July 26, 2006 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Vice-Chairman Gary Palmer, Clerk Christopher R. Lucy, Jan Worthington, Town Administrator Pamela Nolan, Administrative Secretary Julie DuPree, WROC members Kevin Kuechler, John Monahan, Bill Worthington, and Mark Peters, Muriel Crisara, Margie and Skip Childs, Larry and Rainie Brownell, Paul Morris, Brenda Boleyn, Susan Kadar, Joe and John Walsh, Axel Schimdt, Marie Boni, Kathy Rosenkamp, Claire Perry, Bruce Lessard, Jan and Fran Johnson. Chairman Alfred Gaechter and Curtis Hartman were absent.

Mr. Palmer convened the meeting at 6:05 p.m.

Presentation by the WROC on North Union Field/Moses Way easement proposal: Mr. Kuechler gave those assembled a presentation that included an overview of the need for the easement, a history of the Provincetown water department and an explanation of how North Union Field fits into the solution. He began by explaining that it had been anticipated that the water wells would be sited as far to the south-eastern part of the town-owned parcel as possible. But the best test well sites turned out to be in the northern part, which shifts the necessary zone one and that takes up most of the parcel. It doesn't look like much of this parcel can be developed for other uses of the land.

As part of the negotiations with Provincetown to lease the well site, the BOS has agreed to provide access to the site. We must have an easement of the road, which will take town approval. If we can't get access, the DEP may step in and take control. We would like to have control and don't want that to happen. He said that if the town was granted the easement, they would improve the road by installing culverts where needed, maintaining, plowing and taking over the liability of the road. Mr. Lessard asked what insures that the town would not widen the road. Mr. Kuechler said that there are no plans to widen the road. Mr. Palmer added that the access through the CCNS will be used for heavy equipment. The North Union Field access will be used for maintenance vehicles. Mr. Morris elaborated on what the town would do to improve the road. They will go to the existing base coat, clean it up, and fix any drainage problems. He repeated that there are no plans to widen the road. It was noted that the basecoat goes back a lot further than the road is now. Mr. Morris agreed, adding that this is true of a lot of developments in town. It is a plus to develop the road so it is wide enough for emergency vehicles.

Mr. Childs asked if they plan to run the water pipe out Old Kings Highway. Mr. Kuechler said they do. Mr. Childs then pointed out that it would not benefit any additional households in Truro, not a hydrant, not anything. He said he understands that the NPS will work with the town with land swapping if access is not gotten. Mr. Palmer said that there will be a hydrant. He added that as far as land swapping goes, we do not have anything that they want, so it comes down to money. It makes no sense to have to lease from the NPS in order to lease to Provincetown. Mr. Childs asked if they were pursuing an alternate route across from Highland Farms. Mr. Palmer said that they were not.

Mr. Kuechler then gave a brief history of the Provincetown Water Department's first land-taking in Truro for water sites, and the subsequent Inter-municipal Water Agreements, which stipulated

no more land taking in Truro unless the BOS agreed to it, the last revision of which established the Pamet Lens Oversight Group, giving Truro some say in the running of the system. Provincetown has been told by the State that it must have a redundant water source for its most productive well site, which is South Hollow. He explained that their goal in these negotiations with Provincetown is to gain more control over the management of the system, and a way to do that is to bring something to the table--access.

Someone asked where the access would cut in off North Union Field Road. Mr. Palmer said that it would be somewhere through the town-owned land, but the exact location has not been determined. The size and number of buildings was questioned. Mr. Palmer speculated that it would be less than at South Hollow.

Mr. Lessard asked about the acreage that would be left. Mr. Kuechler said it will be split, with about one acre in one area, and two to three acres in the other portion. Mr. Palmer explained that affordable housing was discussed when it was thought to use the southeastern sites; the BOS have withdrawn consideration of any affordable housing there. Ms. Perry questioned if the BOS would consider an easement that was restricted only for the well site, and not for any other use. Mr. Palmer said that would be a question for Town Counsel, but he sees no problem with that.

The discussion centered on what would happen if the wells in the area were affected by the well site. Mr. Kuechler said that this would be part of the lease negotiation with Provincetown. Mr. Palmer added that as part of the test wells, they are monitoring the wells in different sites to be sure areas are not affected. The DEP will not allow any well sites that affect surrounding wells. One of the abutters said that they would like a clause in the lease that Provincetown will give them water for free. Ms. Child noted that they value their peace and quiet and privacy and they will see it gone when the town takes this road. She questioned the wisdom of spending \$100k to bring the road up to code so that a pickup truck can read gauges. She urged the BOS to find another place to get access, asking why can't they use the NPS access for these pickup trucks. Mr. Palmer said that this use was not within the regulations of the Seashore. Mr. Kuechler said that Ms. Findlay told him that it would take an act of Congress to allow this use. One of the abutters asked how often the trucks would come to the well sites. Mr. Palmer said that as a rough guess, he would say once or twice a day. He explained that Provincetown would monitor the wells with internal gauges, and only read the gauges on site if there were a problem. He thought perhaps they would check the gauges once a week if everything is O.K.

Mr. Morris noted that if the town takes the road, it will use Chapter 90 funds to do the improvements. The road would only be taken back to its original width--a 40 foot layout with the actual road approximately 20-22 feet wide. Ms. Perry queried if the lease would be a public document and available for people to see before it is signed. Mr. Palmer said it would. Mr. Monahan said that it has always been Provincetown telling us, and this is our chance to tell Provincetown what to do. Ms. Worthington elaborated, saying that this truly is the first time Truro has said no, not unless you do what we say. She said this is Truro taking care of Truro's aquifer, and not having Provincetown tell us what to do.

Mr. Childs questioned why the town did not work with CCNS Superintendent Price. Mr. Lucy

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said that we have nothing in writing from Mr. Price. He has been asked, he knows our need, and he has not put anything in writing. Ms. Nolan concurred that Mr. Price has been asked. Mr. Peters told the abutters that you do not want the State dictating to you, describing his own experience with the DEP. He said that we have a negotiable situation here. There is no such thing as guarantees forever, but this is the best thing seen in a number of years as far as negotiations with Provincetown. He said the town is willing to maintain your neighborhood, and he urged them to listen and give this a chance. If we can get the Park to cooperate, we will pursue it. Ms. Childs said that if there are other avenues, they would like to see them pursued-- call the NPS, call the DEP.

Someone questioned how much the lease would be. Ms. Nolan said that has not been determined. They are looking for a long term lease. She will be negotiating with Provincetown Town Manager Keith Bergman. The DEP requires a long term lease. There will be a clause for a COLA to increase each year. Mr. Palmer said there will be a lot in the lease, but the most important to him is Truro's role in running the system.

Ms. Perry asked about the value of property. She feels they should be reimbursed for the value that they are contributing to the lease. She feels they have been sold short, and have been from the beginning. Mr. Kuechler spoke of the value of having a town take over the care of a private road. Ms. Perry asked how the property owners in the zone one are being compensated. She was told that hasn't been discussed yet.

The BOS and the WROC were asked why we don't develop the well field ourselves. Mr. Palmer said it would cost between 2 ½ - 2/3/4 million dollars to sell water to Provincetown at rates set by the state. There is no advantage to Truro. He feels that someday there will be a regional water authority made up of Provincetown, Truro and Wellfleet. Mr. Kuechler told them that Provincetown has studied the idea of desalinization, but it has problems. There is no similar plant in an area like ours. There is no place to put the brine produced.

Ms. Worthington thanked everyone for coming, and promised to keep them informed. She said they have asked questions that the two Boards do not have answers to, and they need to get the answers and have more meetings to inform everyone.

The meeting was adjourned at 7:33 p.m.

Gary Palmer, Vice-Chairman

Christopher R. Lucy, Clerk

Janet W. Worthington

Board of Selectmen, Town of Truro

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